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May 3, 2007

DELIVERED VIA EMAIL Document Electronically Filed

Honorable Mark L. Wolf United States District Court District of Massachusetts 1 Courthouse Way Boston, Massachusetts 02210

Re: Post Marine/ L+T Yacht Sales, Inc./ Todd Hamilton

Case No. 05-11682 MLW Our File No. 580-01399

Dear Honorable Sir:

On behalf of Defendant, Post Marine Company, and in response to a request from your office, the Defendants submit the following:

- 1. Depositions of the Plaintiff's and Defendant's representatives were completed on April 17, 2007. The transcripts were received yesterday, and still need to be signed by the witnesses.
- 2. Defendant, Post Marine is preparing and will be in a position to file a Motion for Summary Judgment as to all of Plaintiff's claims by Tuesday, May 15, 2007.
- 3. The parties have discussed settlement, but if possible, the parties are further apart now than they were at the initial scheduling conference.
- 4. Defendant's also anticipate filing a Motion for Sanctions directed to Plaintiff being unprepared to testify as to matters noticed for the deposition of the corporate representative.
- 5. Defendants also anticipate filing a Motion in Limine prohibiting Plaintiffs from calling witnesses that were not timely disclosed, and from calling any expert witnesses as Plaintiff never complied with the Pre-Trial Scheduling Order for disclosure of such witnesses.

Respectfully submitted.

Michel Ociacovski Weisz

MOW:mgv

cc: John Zajac, Esq.

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May 3, 2007

DELIVERED VIA EMAIL Dennis OLeary@mad.uscourts.gov

Mr. Dennis O'Leary United States District Court District of Massachusetts 1 Courthouse Way Boston, Massachusetts 02210

> Re: Post Marine/ L+T Yacht Sales, Inc./ Todd Hamilton

> > Case No. 05-11682 MLW Our File No. 580-01399

Dear Mr. O'Leary:

In conjunction with the above captioned case I enclose a brief status report on the part of the Defendant. I am taking this unusual step of providing this directly to the Court, as I am leaving for Boston this afternoon and will be unavailable to do any further work on this matter today.

I appreciate your courtesy in this matter.

Very truly yours,

Michel Ociacovski Weisz

Much July

MOW:mgv

cc: John E. Zajac, Esq.